

CRP 4-0802

COMPLAINTS RESOLUTION PANEL DETERMINATION

Complaint 4-0802 (Swisse Multivitamins)

The complaint

1. A complaint was made about an advertisement for Swisse Multivitamins that appeared in the Sunday Telgraph on 28 July 2002, that the advertisement contained no approval number.
2. The sponsor, Swisse Natural Health Care Pty Ltd, said that the advertisement had been approved (CHC 3116-01/07) and accepted responsibility for the advertisement appearing with the number omitted. An assurance was given that, by updating the Swisse ISO Benchmark Advertising Procedures and employment of a team member designated to sign off on all Swisse advertisements before they go to print, the approval of all Swisse advertisements will be ensured.

Panel consideration

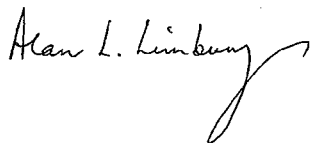
3. Under Section 42C(5) of the Therapeutic Goods Act 1989, a person must not publish or insert in mainstream media an approved advertisement without its approval number.
4. The Panel finds the complaint justified.

Sanctions

7. In accordance with subregulation 42ZCAI(1) of the Therapeutic Goods Regulations, the Panel requests Swisse Natural Health Care Pty Ltd:
 - (a) to withdraw the advertisement which appeared without its approval number, and which differs from the approved advertisement from further publication; and
 - (b) within 14 days of being notified of this request, to provide evidence to the Panel of its compliance, such as copies of instructions to advertising agents or publishers.
8. Attention is drawn to the provisions of subregulations 42ZCAI(3) and (4) which permit the Panel to make recommendations to the Secretary in the event of non-compliance with this request.

Dated 30 September 2002

For the Panel



Alan Limbury
Chairman